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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92046796
Party	Plaintiff BCG Partners, Inc., substituted for eSpeed, Inc.
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Submission	Motion for Default Judgment
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Date	01/20/2009
Attachments	eSpeed Motion for Default.pdf (3 pages)(12690 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

BGC PARTNERS, INC. (substituted for)	
ESPEED, INC.),)	
)	
Petitioner,)	Cancellation No. 92046796
)	
vs.)	Mark: ESPEEDIENT SYSTEMS
)	
ESPEEDIENT SYSTEMS, LLC,)	
)	
Registrant.)	

PETITIONER’S MOTION FOR ENTRY OF DEFAULT

Petitioner BGC Partners, Inc. (“Petitioner”), through counsel and pursuant to 37 C.F.R. § 2.106(a) and Fed. R. Civ. P. 55(a), hereby moves that the Board issue an order entering default against Registrant Espeedient Systems, LLC (“Registrant”), in the above-captioned cancellation and requiring Registrant to show cause why judgment by default should not be entered against Registrant.

In support of this Motion, Petitioner shows the Board as follows:

1. Since December 19, 2006, Petitioner and Registrant have been involved in the above-captioned cancellation proceeding regarding Registrant’s registration for ESPEEDIENT SYSTEMS, U.S. Reg. No. 2,912,657.

2. On September 16, 2008, Registrant’s then-counsel, Melissa S. Dillenbeck of Drinker Biddle & Reath LLP, filed a Request for Permission to Withdraw as Attorney of Record (the “Request to Withdraw”). In the Request to Withdraw, Ms. Dillenbeck stated that Registrant “has requested counsel to take no further action on this matter.” Request to Withdraw at 1.

3. On September 19, 2008, the Board issued an order granting, *inter alia*, the Request to Withdraw (the "September 19 Order"). At that time, the Board suspended the cancellation proceeding and allowed Registrant thirty days to appoint new counsel or to file a paper stating that Registrant would represent itself. The Board stated that "[i]f [Registrant] files no response, the Board may issue an order to show cause why default judgment should not be entered against [Registrant] based on [Registrant's] apparent loss of interest in the case." September 19 Order at 2.

4. To date, Registrant has failed to file any response with the Board, despite its deadline to do so on or before October 20, 2008.

WHEREFORE, Petitioner respectfully requests that the Board enter Registrant's default and issue an order requiring Registrant to show cause why judgment by default should not be entered against Registrant.

Dated: January 20, 2009

Respectfully submitted,

KILPATRICK STOCKTON LLP

/s/ William M. Bryner

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing **PETITIONER'S MOTION FOR ENTRY OF DEFAULT** was served upon counsel for the Registrant by first class mail, addressed as follows:

eSpeedient Systems LLC
225 West Huron
Suite 217
Chicago, IL 60610

This the 20th day of January, 2009.

/s/ William M. Bryner
William M. Bryner

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